

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Otis Gregory Rosier**

**Docket No. 5:10-CR-393-1D**

**Petition for Action on Conditions of Pretrial Release**

COMES NOW Michael C. Brittain, probation officer of the court, presenting an official report upon the conduct of defendant Otis Gregory Rosier, who was placed under pretrial release supervision by the Honorable David W. Daniel, U.S. Magistrate Judge, sitting in the Court at Greenville, NC, on the 6th day of December, 2010, under the following conditions:

- Report to the probation office or supervising officer as directed.
- Maintain or actively seek employment.
- Surrender any passport to the United States Probation Office.
- Obtain no passport.
- Abide by the following restrictions on personal association, place of abode, or travel: Not leave Wake County, North Carolina, without prior approval of the U.S. Probation Office.
- Avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: Co-defendants.
- Maintain residence at a halfway house or community corrections center, as a pretrial services officer or supervising officer considers necessary.
- Refrain from possessing a firearm, destructive device, or other dangerous weapons.
- Refrain from any use of alcohol.
- Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

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- Submit to any method of testing required by the supervising officer for determining whether the defendant is using a prohibited substance.
- Participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the supervising officer.
- Report as soon as possible to the supervising officer any contact with law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.
- Abide by conditions set by Cavalcorp (Halfway House).
- Consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

The defendant appeared before the Honorable James C. Dever III, U.S. District Judge, for arraignment on the 7th day of February, 2011, and supervision was continued under existing conditions.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

Since being released to pretrial supervision, the defendant has resided at Cavalcorp Residential Reentry Center in Raleigh, North Carolina. Mr. Rosier's mother, Sharlindell Rosier, and grandmother, Vera Jordan, reside at 1591 West 35<sup>th</sup> Street, Jacksonville, Florida, and maintain an appropriate residence for the defendant. An investigation of the proposed residence has been approved by a U.S. Pretrial Services Officer in the Middle District of Florida, who has agreed to assume courtesy supervision of Mr. Rosier's case. Assistant United States Attorney Thomas Murphy was contacted and has no objection to modifying the release conditions to allow Mr. Rosier's release from Cavalcorp in order for him to reside with his mother and grandmother.

**PRAYING THAT THE COURT WILL ORDER** that his conditions of release be modified by removing the following release conditions:

- Maintain residence at a halfway house or community corrections center, as a pretrial services officer or supervising officer considers necessary.

- Abide by conditions set by Cavalcorp (Halfway House).

It is further requested that the defendant be allowed to reside with his mother and grandmother in Jacksonville, Florida, and continue under the remaining current conditions as previously imposed.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller

Jeffrey L. Keller

Supervising U.S. Probation Officer

/s/Michael C. Brittain

Michael C. Brittain

Senior U.S. Probation Officer

310 New Bern Avenue, Room 610

Raleigh, NC 27601-1441

Phone: (919) 861-8660

Executed On: February 16, 2011

**ORDER OF COURT**

Considered and ordered this 16 day of February, 2011, and ordered filed and made a part of the records in the above case.

James C. Dever III

James C. Dever III  
U.S. District Judge